

October 10, 2007

The regular meeting of the Santa Rosa County Building Code Board of Adjustments and Appeals was held October 10, 2007, at 3:00 p.m. in the conference room of the Santa Rosa County Building Inspection Department located at 6051 Old Bagdad Highway, Milton, FL 32583. Board members present were Mr. Charles "Pete" Southerland, Chairman; Mr. William J. Blackman, Mr. Frank Harold and Mr. Danny Holt.

Building Inspection Department staff in attendance was Mr. Tim Tolbert, Building Official; Mrs. Rhonda Royals, Deputy Building Official; Mr. Skip Tompkins, Compliance Division Superintendent; Mr. Randy Jones, Compliance Investigator; Mr. Bobby Burkett, Compliance Investigator and Mrs. Robyn Leverton, Administrative Assistant I.

Mr. Tom Dannheisser, County Attorney, was present for the meeting.

Mr. Pete Southerland, Chairman, called the meeting to order at 3:00 p.m.

A court reporter from Anchor Court Reporting (432.2511) in Pensacola was present for the "Formal Hearing" portion of these minutes.

Approval of Agenda:

There were no amendments to the agenda. Mr. Blackman made a motion to accept the agenda. Mr. Harold seconded the motion. The motion carried with a unanimous vote.

Approval of Minutes:

Mr. Blackman made a motion to approve the minutes from the August 8, 2007 meeting. Mr. Harold seconded the motion. The motion carried with a unanimous vote.

Next Meeting:

The next regularly scheduled meeting is Wednesday, November 14, 2007, at 3:00 p.m. in the Building Inspection Department Conference Room.

Old Business – Formal Hearing

James Hart vs. Jeffery Jackson d/b/a Jett, LLC.

Rhonda Royals informed the Board that Mr. & Mrs. Hart were present, but Mr. Jeffery Jackson was not. Mr. Jackson is a certified general contractor, license #CGC061839. She read the charges.

Mr. & Mrs. Hart alleged that Mr. Jackson has violated the building code by failing to obtain the required inspections on a remodel job he performed at their place of business located at 3695 Berryhill Rd., Pace, FL.

Alleged Violation of Ordinance 2002-06:

1. Section 16, Para 1(d)-Willful or deliberate disregard and violation of the applicable building codes or laws of the state or any municipalities or counties thereof.

Alleged Violation of the 2004 Florida Building Code:

1. Section 109.5 Inspection Requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

Randy Jones summarized the complaint against Mr. Jackson. He stated that the Hart's entered into the contract with Mr. Jackson on September 7, 2005. The permits were applied for late with the application dated November 21, 2005 and revisions were submitted on November 28, again on January 27, 2006 and some final revisions submitted May 25, 2006. The permit was finally issued in September 2006. Randy says he has no explanation for the delay between the final revision submittal and the date the permit was issued.

The majority of the work was done by November 2005 when the application was submitted. There were lots of disagreements and conflicts between the Hart's and Mr. Jackson. There have been no inspections requested by Mr. Jackson or Jett LLC. Randy said there was a building and roof permit issued on the office building. The inspections that were missed would be the in-progress and final roof inspections and the framing inspection, which one could argue whether it's ready for a framing inspection. Due to Mr. Jackson's lack of presence on the job, abandonment could possibly be a charge however this Board cannot address abandonment due to Mr. Jackson being a certified contractor.

A discussion ensued between Randy Jones and the Board as well as Mr. Hart and the Board.

Mr. Blackman made a motion to find Mr. Jeffery Jackson guilty of a willful violation of the Florida Building Code, i.e., failure to call for inspections. Mr. Harold seconded the motion. There was discussion amongst the Board members.

The motion passed with a three to one (3-1) vote with Mr. Holt opposing.

Mr. Blackman made a motion to revoke Mr. Jeffery Jackson's privilege to pull permits in SRC for five (5) years. Mr. Harold seconded the motion. The motion passed with a unanimous vote.

Old Business - Update

Donna Rae Morris vs. John D Roche' d/b/a Roche' Enterprises of Pensacola, Inc.

Rhonda Royals gave a brief update to the Board regarding this case. She reminded the Board that they voted to move this case to a formal hearing. That formal hearing is scheduled for November 2007.

Mr. Blackman made a motion to adjourn the meeting. Mr. Harold seconded the motion. The motion carried with a unanimous vote.

The meeting was adjourned at 3:27p.m.